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PATENT



Attorney Docket No. 10046.200-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Xu

Serial No.: 09/885,379

Group Art Unit: To be assigned

Filed: June 19, 2001

Examiner: To be assigned

For: Methods For Eliminating The Formation Of Biofilm

PETITION UNDER 37 CFR 1.53

Commissioner for Patents
Washington, DC 20231

Sir:

The Notice of Incomplete Application dated June 19, 2002 stated that the application serial no. 09/885,379 was deposited without drawings and that 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." The Notice also stated that Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).

Applicant notes that Figures 1 and 2 were inadvertently omitted and have been added. Applicant provides copies of Figures 1 and 2 for the convenience of the Examiner. Applicant submits that no new matter is added because Figures 1 and 2 were part of the specification of U.S. application serial no. 09/596,795 filed June 19, 2000, the benefit of which is claimed under 35 U.S.C. 120 and which application is fully incorporated herein by reference.

Applicant hereby petitions that Application serial no. 09/885,379 be accorded the filing date of June 19, 2001. Applicant respectfully requests refund of the \$130.00 petition fee.

Please charge the required petition fee under 37 CFR 1.17(h), estimated to be \$130.00, to Novozymes North America, Inc., Deposit Account No. 50-1701. A duplicate of this sheet is enclosed.

08/21/2002 GWORDOF1 00000036 501701 09885379
01 FC:122 130.00 CH

Date: August 12, 2002

Adjustment date: 10/18/2002 AXELLEY
08/21/2002 GWORDOF1 00000036 501701 09885379
01 FC:122 130.00 CR

Respectfully submitted,

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SEP 20 2002

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